

**To:** Ward, W. Robert[Ward.Robert@epa.gov]; Askew, Wendel[Askew.Wendel@epa.gov];  
Madigan, Andrea[Madigan.Andrea@epa.gov]  
**Cc:** Logan, Paul[Logan.Paul@epa.gov]  
**From:** Hall, Katherin  
**Sent:** Mon 9/21/2015 5:54:47 PM  
**Subject:** FW: LaPlata County Additional Constituent Sampling Issues

# Attorney Client/Ex. 5

Did something change from last week? I may be behind on my email.

Katherin

**From:** Wharton, Steve  
**Sent:** Monday, September 21, 2015 10:56 AM  
**To:** Vallejos, Cinna  
**Cc:** Madigan, Andrea; Williams, Laura; Bohan, Suzanne; Sisk, Richard; Land, Kelcey; Way, Steven; Hall, Katherin; Ostrander, David; Gilbert, Edward  
**Subject:** RE: LaPlata County Additional Constituent Sampling Issues

Cinna – Based on my conversations with you and with La Plata County last week, this is where I believe we stand on this sampling event. I'm copying the Environmental Unit Leader and Deputy Incident Commander in Durango as well, so they can correct any inaccuracies.

La Plata County intends to collect samples from the Gold King Mine for the additional constituents we identified in our meeting with them last week. They understand that they can claim reimbursement for the sampling and analysis costs through the yet to be

issued cooperative agreement under the “pre-award” provisions of that agreement.

# Deliberative Process/Ex. 5

Thanks,  
Steve

**From:** Vallejos, Cinna  
**Sent:** Monday, September 21, 2015 10:20 AM  
**To:** Wharton, Steve  
**Subject:** FW: LaPlata County Additional Constituent Sampling Issues

Do you know where this stands?

**From:** Card, Joan  
**Sent:** Thursday, September 17, 2015 11:54 AM  
**To:** Madigan, Andrea; Grantham, Nancy; McGrath, Shaun  
**Cc:** Wharton, Steve; Williams, Laura; Ward, W. Robert; Bohan, Suzanne; Sisk, Richard; Schefski, Kenneth; Land, Kelcey; Way, Steven; Vallejos, Cinna; Bove, James; Hall, Katherin; Ostrander, David  
**Subject:** RE: LaPlata County Additional Constituent Sampling Issues

Nancy, Laura, please advise. Joan

**From:** Madigan, Andrea

**Sent:** Thursday, September 17, 2015 11:31 AM  
**To:** Card, Joan; Grantham, Nancy; McGrath, Shaun  
**Cc:** Wharton, Steve; Williams, Laura; Ward, W. Robert; Bohan, Suzanne; Sisk, Richard; Schefski, Kenneth; Land, Kelcey; Way, Steven; Vallejos, Cinna; Bove, James; Hall, Katherin  
**Subject:** RE: LaPlata County Additional Constituent Sampling Issues

Attorney/Client Communication

Privileged

DO NOT RELEASE UNDER FOIA

I have just been informed that La Plata County will NOT be taking these samples under the cooperative agreement but plan to do so independently next week. They have stated that they will be following EPA's sampling plan. Under these circumstances, the

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Andrea Madigan

CERCLA Supervisory Attorney

Legal Enforcement Program

U.S. EPA Region 8

1595 Wynkoop Street

Denver, Colorado 80202

(303) 312-6904

**From:** Madigan, Andrea

**Sent:** Thursday, September 17, 2015 10:46 AM

**To:** Card, Joan; Grantham, Nancy; McGrath, Shaun

**Cc:** Wharton, Steve; Williams, Laura; Ward, W. Robert; Bohan, Suzanne; Sisk, Richard; Schefski, Kenneth

**Subject:** RE: LaPlata County Additional Constituent Sampling Issues

# Attorney Client/Ex. 5

Andrea Madigan

CERCLA Supervisory Attorney

Legal Enforcement Program

U.S. EPA Region 8

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(303) 312-6904

**From:** Card, Joan

**Sent:** Thursday, September 17, 2015 10:40 AM

**To:** Grantham, Nancy; McGrath, Shaun  
**Cc:** Wharton, Steve; Williams, Laura; Madigan, Andrea; Ward, W. Robert  
**Subject:** RE: LaPlata County Additional Constituent Sampling Issues

+ Andrea and Bob

Nancy, Andrea has an answer on question 5 for you.

**From:** Grantham, Nancy  
**Sent:** Wednesday, September 16, 2015 6:57 PM  
**To:** McGrath, Shaun; Card, Joan  
**Cc:** Grantham, Nancy; Wharton, Steve; Williams, Laura  
**Subject:** LaPlata County Additional Constituent Sampling Issues

# Deliberative Process/Ex. 5

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Thanks ng